



CITY OF DURHAM | NORTH CAROLINA

Date: August 19, 2014
To: Thomas Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Kevin Dick, Director, Office of Economic and Workforce

Subject: Amendment to Assignment Agreement for the Durham Athletic Park (DAP) Operating Agreement

Executive Summary

This item is to recommend approval and execution of an amendment to the assignment agreement between the City of Durham and the Durham Bulls Baseball Club, Inc. (“Durham Bulls”) for the operation of the Durham Athletic Park (DAP). The amendment to the assignment agreement would allow the City to extend the agreement from October 1, 2014 to September 30, 2015. The monthly contract fee of \$6,130.77 would remain unchanged, for a total of \$73,569.24 for an additional twelve months.

Recommendation

City staff recommends that City Council authorize the City Manager to execute an amendment to the Assignment Agreement with the Durham Bulls Baseball Club, Inc. extending the operation of the DAP an additional twelve (12) months to September 30, 2015 for an contract amount of \$73,569.24.

Background

The first Assignment Agreement with the Durham Bulls was approved by City Council on January 2012 with the Durham Bulls taking over operations of the DAP. This assignment agreement was intended to last from January 2012 to August 31, 2012 for a pro-rated amount of \$23,333.36. An amendment to the assignment agreement, effective September 1, 2012, extended the agreement to September 30, 2013 and changed the monthly operating fee to \$6,130.77 per month. On September 16, 2013 a second amendment extended the agreement to September 30, 2014, with no change in the monthly operating fee.

Issues/Analysis

The Durham Bulls have a familiarity with the local market for events as well as the maintenance requirements for a baseball stadium that meets NCAA Division One standards (two key aspects of DAP operations). This familiarity has helped them operate the park to an acceptable standard. Usage of the park in the October 1, 2013 to September 30, 2014 period has included 282 activities:

195 - Baseball Games
80 - Practices

- 5 - Events/Festivals
- 2 - 5 Kilometer Charity Runs.

OEWD is recommending no change in the monthly contract amount of \$6,130.77.

Alternatives

City Council can choose to not approve the Amendment to the Assignment Agreement. This would leave the City of Durham without an Operator for the facility after September 30, 2014. Current resources do not exist within the City to operate the facility in its desired capacity as a multi-use facility available for baseball and multi-cultural events.

Financial Impact

The amount of \$73,569.24 will be coming from OEWD's Professional Services budget.

SDBE Summary

SDBE provisions are contained in the operating agreement.

Exhibits:

Amendment to DAP Operating Agreement
Durham Athletic Park Budget October 1, 2014 – September 30, 2015